

PERETORE & PERETORE, P.C.  
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Attorneys for Wells Fargo Equipment Finance, Inc.

Hearing Date:  
Hearing Time:

/s/ Frank Peretore  
Frank Peretore, Esq.  
FP#7020

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK**

In re:	X	Case No. 08-60954-6-sdg
	:	Chapter 7
	:	
	:	
MOISE BANAYAN,	:	
	:	
	:	
Debtor.	:	APPLICATION OF WELLS FARGO
-----X	:	EQUIPMENT FINANCE, INC. FOR AN
	:	ORDER GRANTING DISMISSAL OF
WELLS FARGO EQUIPMENT	:	ADVERSARY PROCEEDING
FINANCE, INC.,	:	
	:	Adv. Pro. No.: 08-80039-6-sdg
Plaintiff,	:	
	:	
-against-	:	
	:	
MOISE BANAYAN,	:	
	:	
Defendant.	:	
-----X	X	

This application of Frank Peretore, Esq. (Peretore & Peretore, P.C.), respectfully represents:

1. I am an attorney at law in the State of New York and am a partner of the law firm of Peretore & Peretore, P.C., attorneys for Wells Fargo Equipment Finance, Inc. (hereinafter "WFEF") in the above-entitled matter. I make this Application in support of WFEF's Motion to Shorten Time.

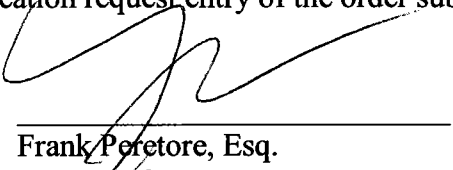
2. In this action wherein WFEF has made claims against defendant pursuant to sections 523 and 727 of the Bankruptcy Code, WFEF and the defendant have agreed to dismiss this case as described more fully in the Affidavit of Frank Peretore submitted with the accompanying Motion to Dismiss.

3. WFEF and defendant executed a Stipulation and Order of Dismissal of Adversary Proceeding. On April 22, 2011, this office called the Court for guidance on filing the Stipulation. Chambers informed my office that a motion had to be made. This is consistent with Rule 7041.

4. Without entry of an Order Shortening Time, there will not be enough time for the Court to entertain the Motion to Dismiss because a trial date is set for May 10, 2011. Under the circumstances, where the parties agree on dismissal, it would be a waste of resources if the trial proceeded. For these reasons, it is respectfully requested that an Order Shortening Time be entered setting a return date at a time before May 10, 2011.

5. Reduction of the time period in question is not prohibited under Fed. R. Bankr. P. 9006(c)(1) and the Rules listed therein.

WHEREFORE, application request entry of the order submitted herewith.

  
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Frank Peretore, Esq.  
Attorney for  
Wells Fargo Equipment Finance, Inc.

Sworn to and subscribed  
before me this 25<sup>th</sup> day  
of April, 2011.



**ANN DODD**  
**Notary Public**  
**State Of New Jersey**  
**My Commission Expires 08/21/2012**